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**Human Rights Council**
**Thirty-ninth session**
10-28 September 2018
Agenda item 3
**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

# Written statement* submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 August 2018]

* Issued as received, in the language(s) of submission only.

GE.18-14459(E)
*1814459*

Please recycle

# Indonesia: The Government cannot avoid the ad hoc Human Rights Court to address past human rights abuses

The Asian Legal Resource Centre (ALRC) wishes to inform the UN Human Rights Council (UNHRC) about on-going impunity problems in Indonesia. It is related to past human rights abuses which remain unaddressed since former President Suharto stepped down in 1998 until now.

So far, we note that the Government has yet to show a serious willingness to address and tackle past human rights abuses. This remains despite the fact that human rights is recognized and written into Indonesian Law. The Government has ratified key international human rights treaties, yet they have yet to become a priority policy of the current Government.

We have learned that the current human rights situation is not relevant anymore with President Widodo's vision and mission written in the Nawa Cita (priority agenda nine). They were addressing past human rights abuses as one of the main priorities. The Government also promised that the State at present will ensure protection of human rights. However, the Government remains reluctant to touch the issue of past human rights abuses.

After more than 20 years of political reform, transitional justice in Indonesia has gone nowhere. In the last ten years Indonesia has faced two Universal Periodic Reviews (UPR); namely UPR second cycle 2012 and third cycle 2017. In these sessions we note that the UPR issued very strong recommendations to the Indonesian Government to address past human rights abuses without undue delay. In addition, countries who were involved in the Indonesian UPR raised concern and support for the transitional justice of Indonesia with its willingness to provide justice and remedy for victims and their families.

So far, the National Commission on Human Rights (Komnas HAM) has submitted seven cases to the Attorney General (AG). However, the AG is reluctant to further investigate these cases. On the contrary, the AG avoids the ad hoc Human Rights Court as mandated by Law No. 26 of 2000 of the Human Rights Court. The seven cases are: #1 Student shootings in Trisakti and Semanggi 1998-1999; #2 Enforced disappearances of student activists 1997-1998; #3 May tragedy 13-15 May 1998; #4 Talangsari massacre 6-7 February 1989; #5 1965-1966 massacre; #6 Mysterious shooting 1981-1983; #7 Wasior and Wamena Papua 2001-2003.

The presidency of President Joko Widodo aka Jokowi has one more year left (2018-2019), as he was elected and inaugurated in October 2014. None of above mentioned cases had been investigated by the Attorney General.

In 2018 we noted little progress. On 31 May 2018, President Joko Widodo received representatives of victims and their families of past human rights abuses at the Presidential Palace. In the meeting, President Widodo promised the victims that he would discuss the cases further with the Attorney General. On the other hand, victims and their families urged President Widodo to recognize the past human rights abuses and resolve the cases. This was the first formal meeting between President Widodo and the victims who have been organizing the so-called "Black Thursday Demonstration" every Thursday in front of the Presidential Palace since 2007.

However, three months after the meeting, President Widodo has not yet shown any follow-up. There is no real effort by the Government to address impunity. On the contrary, President Widodo's cabinet member, retired Army General Wiranto, the Coordinating Minister of Politic, Law and Security (Menkopolhukam) introduced a controversial idea--namely a Council for National Harmony (Dewan Kerukunan Nasional). He is the former national Military Chief, allegedly involved in the case of crimes against humanity in East Timor during a referendum in 1999. He is also allegedly involved in the cases of student shootings in Trisakti and Semanggi 1998-1999.

General Wiranto's proposal is not merely controversial but in violation of Law No. 26 of 2000 of the Human Rights Court. Here the Law clearly mandated that gross violations of human rights, in particular those that occurred in the past, must be tried before the ad hoc Human Rights Court. Moreover, the idea is also in violation of the international Human Rights Standard and Treaties where Indonesia is a State party.

In order to ensure that impunity is seriously addressed, the Council must urge the Government to:

1. Prove its commitment to resolve past human rights abuses in the time remaining of President Widodo's administration, ending in 2019.

2. Stop non-judicial efforts, such as the Council for National Harmony (Dewan Kerukunan Nasional undermining the standards of justice and the Rule of Law.

3. Immediately reshuffle the cabinet minister. In particular, replace Retired Army General Wiranto. This is due to his alleged involvement in the case of student shootings in 1998 and East Timor in 1999.

4. Comprehensively evaluate and replace the chair of the Attorney General, Mr. HM Prasetyo. The AG has shown his unwillingness to obey Law No. 26 of 2000 of the Human Rights Court.

5. Invite and cooperate with the UN Special Rapporteur on the promotion of truth, justice, reparation, and guarantees of non-recurrence.

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Please recycle

# India: Government must officially recognize manual scavengers in order to end the practice of scavenging

The Asian Legal Resource Centre (ALRC) wishes to draw the attention of the Human Rights Council to the continuing illegal and inhuman practice of manual scavenging—the cleaning and carrying of human excreta manually—prevalent in India.

An inter-ministerial task force set up by the NITI Ayog last year has counted up to 53,236 people involved in manual scavenging in India in 2018. While the four-fold increase in the number of manual scavengers from the 13,000 counted in 2017 shows a little more acknowledgement of the extent of the crisis, it is still a gross underestimation as it includes data from only 121 of the more than 600 districts in the country.

Further, the numbers do not include those involved in cleaning sewers and septic tanks and the Railways, which is the largest employer of manual scavengers in the country. More importantly, out of the total 53,000 manual scavengers identified by the task force, only 6,650 are confirmed officially by the states, exposing the under-reporting of the problem.

Such massive under-reporting makes a mockery of the Acts that prohibit the practice and ask for total rehabilitation of those engaged in manual scavenging. The practice was first outlawed in 1993 by The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act passed by the parliament. Two decades later, it was replaced with the more stringent Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.

The Supreme Court of India has also repeatedly outlawed manual scavenging, and ordered the Union government as well as all state governments to enforce the provisions of the 2013 Act strictly. It did so most comprehensively in its order in Safai Karamchari Andolan and Ors. Vs. Union of India (UOI) and Ors case (citation: 2014(4) SCALE165). In this order, the Court further ordered the states to put an immediate end to manual scavenging, while categorically expanding the definition of manual scavenging so as to deny the authorities the loopholes they often manipulated to keep sewer workers and septic tank cleaners out of the manual scavenging list.

Sewer workers, septic tank cleaners and everyone who cleaned dry latrines were hence brought under the ambit of the Act, and the Supreme Court fixed command responsibility for implementation of the Act with the chief executive officer (or equivalent authority) of the local civic body. The Court also ordered immediate rehabilitation of those found engaged in the practice, and fixed compensation for the manual scavengers who lost their lives doing the dirty work.

One of the key problems faced in eradicating this practice is states not recognising a vast majority of manual scavengers. All laws and court orders, including rehabilitation, can only be implemented after the recognition of the workers as manual scavengers. Of the 53, 236 manual scavengers found by the task force, only 6,650 are officially recognized and thus eligible for any welfare schemes. The large state of Chhattisgarh for instance, found only three manual scavengers, while Madhya Pradesh counted 36. All the others are ignored.

A recent survey by the Government of Delhi, a state which has repeatedly denied the existence of manual scavenging in the areas governed by it, found 32 manual scavengers. Moreover, the minister responsible for the rehabilitation of manual scavengers confirmed that the numbers look like an underestimation as they all come from only two districts.

The continuing practice of manual scavenging does not merely dehumanise those engaged in it and violates their constitutional right to life with dignity, it also exposes them to many diseases and even death. While replying to a written question in the Lok Sabha, the lower house of Indian parliament, in December 2017, the Union Minister of Social Justice and Empowerment admitted to 327 deaths of manual scavengers working in sewers or septic tanks. The real number of deaths, again, will be much higher as these numbers cover only the 'reported' cases and not total deaths. The causes of death include inhalation of toxic gases due to lack of safety equipment such as masks, gloves and protective clothing. Such inhuman working conditions also lead to deaths of workers over a period of time, due to ailments and other infections from long term exposure.

To avoid responsibility for such deaths, local government bodies often bypass the law and rope in contractors, who in turn employ manual scavengers. This allows states to claim they no longer employ manual scavengers, while the practice continues with manual scavengers not even getting the official minimum wages due to contractualisation of their labour.

In light of this, the ALRC urges the Council to:

a) ask the Government of India to put an immediate end to the outlawed practice of manual scavenging along with prosecution of and exemplary punishment to those employing manual scavengers. The Government of India

should also provide rehabilitation of existing scavengers to other professions, thereby doing away with the stigma associated with scavenging and the caste ramifications of scavenging as a profession.

b) Ask the Government of India to implement The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013 in letter and spirit. In addition, the Government of India must start a time bound demolition drive against dry latrines, while also asking the Indian Railways to put an end to its open toilets that cause waste to fall on the tracks, requiring manual scavengers for cleaning, as well as its denial about the same.

c) Ask the government to put an immediate end to the practice of people entering manholes or sewers in order to clean them.

d) Ask the government of India to begin a nationwide programme for bringing all Indian citizens under sanitation coverage, irrespective of their socioeconomic status.

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# Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

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Please recycle

## Escalation of the farmer-herder conflict in Nigeria's Middle Belt

Since January 2018, an escalation of the farmer-herder conflict predominantly in Nigeria's Middle Belt states has caused the death of more than 1,300 Nigerians making this conflict about six times more deadly than the terrorist attacks of Boko Haram in North-Eastern Nigeria. Unlike this Boko Haram threat, the violence between the predominantly Muslim Fulani herders and the various Christian ethnicities involved in farming hardly gets any recognition by the Nigerian government. Thus, this never-experienced escalation of violence in this conflict also forced more than 300,000 people, mostly farmers, to flee their homes and move to IDP camps with inadequate conditions, while having their farmlands, villages and, therefore, their bases of life destroyed by the Fulani attackers.

In these IDP camps, sufficient supply of food, health care, sanitation and clean water is not guaranteed, which increases the risk of severe diseases. Moreover, since there is no separation of gender in overcrowded housings, especially women and girls are in risk of sexual harassment, exploitation and rape.

The major reason for this escalation stems from the more organized and planned structure of the Fulani attacks on farming villages turning this originally local clash arising from decreasing areas of fertile land and environmental degradation on the one side and from claims about indigenous privileges on the other side into an ethnic and religious conflict about the local supremacy. This new form of violence is accompanied by the use of sophisticated weapons like AK-47 rifles and the formation of ethnic militias with additional, yet to be identified masterminds, who are pursuing their own individual and political goals in this conflict. In consequence, civilians, especially innocent infants and children, are being killed and churches attacked resulting in the murder of clerics and parishioners. Another reason in this multi-layered conflict is a certain political instability in the north deriving from cattle rustling and Boko Haram activities, which additionally drive the Fulani further south.

Despite regular assurances on ending the violence, the government seems to fail in undertaking effective activities in order to control the situation and to protect the civilian population. There is still no security for the people in the conflicting areas, even though the number of police and military units in the different states has been increased. Furthermore, an attempted order to surrender illegal weapons only resulted in a number of 4,000 collected firearms countrywide, whereof only a fraction of 453 was handed in from the Middle Belt states. Consequently, an extensive disarmament of the conflicting parties remains far out of reach. Still, the herdsmen outnumber the police and military forces and are usually better equipped than the police and military as a result of a constant inflow of firearms from the Sahel. Moreover, the Nigerian Air Forces participate in this escalating violence by reportedly having killed at least 35 people in an air raid on several villages in Adamawa state in December 2017. Consequently, attacks by the Fulani herdsmen and reprisals of the farmers are spiraling into continuing violence.

Even though the first suspects of being involved in killings have been arrested, it is still questionable whether and, given the previous pace of investigations, when first trials will be conducted. Thus, perpetrators hardly fear to be arrested or sentenced at court, which spreads the feelings of a certain impunity, weakness of the government and even the intentional ignorance of the conflict among the Nigerian and especially Christian population in the south of the country increasingly resulting in vigilant justice. These sentiments are further supported by contrary statements of political representatives that, at least, indicate a missing accord throughout the governing actors.

Approaching the presidential and parliamentary elections in early 2019, Nigeria steadily falls apart along its conflict lines, while the herder-farmer conflict takes a central role in the future alignment of the country. The conflict might further escalate due to an increasing pressure on land following the population growth in the country and a further expansion of the less fertile Sahel zone forcing the Fulani herders to move even further south. If no actions are taken, even more casualties are to be feared. As a side effect of the conflict, agricultural productio will further reduce

resulting in increasing food prices and creating the hotbed for further violence throughout the whole country, given the fact that the Middle Belt states are considered the agrarian breadbasket of Nigeria.

In order to avoid a possible genocide or civil war, the Society for Threatened Peoples calls on the Human Rights Council to urge the Nigerian Government:

-To establish a productive dialogue between the conflicting parties and stakeholders on a local level.
-To finish the impunity of perpetrators and the hush-ups of information by undertaking consequent investigations and reprocessing of incidents no matter of the ethnicity and religion of the suspects.
-To distribute the promised amount of 10 Billion Naira for the rehabilitation of destroyed villages and farmlands in order to enable the IDPs to return to their homes.
-To investigate the role of the Nigerian military and especially the Nigerian Air Force in attacks on villages and prevent further air raids on villages.

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*1814462*

Please recycle

# Human rights situation in the Kingdom of Morocco's Rif Region

400 members and supporters of the Hirak al-Rif movement were arrested in the past one and a half years. On 26 June 2018, Nasser Zefzafi, the leader of the Hirak movement, as well as three other leading Hirak figures were sentenced to 20 years in prison. 49 accused received longtime prison sentences or fines, among them were Mohamed Haki, Zakaria Zakaria Adechchour and Mahmoud Bouhenoud were sentenced to 15 years in prison. Seven other people were sentenced to ten years in prison for alleged "endangering of state security".

In October 2016 the biggest protest movement in the Kingdom of Morocco since Arab Spring erupted after a fish merchant was crushed to death in a garbage truck as he tried to retrieve the fish confiscated by policemen for being caught out of season. The tragic event has happened in the city of al-Hoceima in Northern Morocco. In the days after the death of the merchant, furious protesters in the often neglected nearby mountainous Rif region founded the Hirak al-Rif movement.

The Rif has seen a history of repression and neglect. The region, which is mostly inhabited by non-arabic indigenous Amazigh people, has suffered for decades from strong unemployment rates particularly among young people. The expansion of illegal narcotic production and its criminalization has led to more emigration to Europe. The brutal crushing of a popular uprising in the Rif in the year 1958 has created a feeling of injustice and has led to a distrust of the state among the inhabitants of the mountain range. This difficult relationship with the authorities has caused more neglect and the denial of development by Moroccan authorities.

From the beginning of the protests, Hirak has drafted a list of demands, including the demilitarization of the region, the right to a fair trial, more infrastructure development, investment and the construction of a hospital and a university. The media reporting about the Hirak protests were massively cracked down by the Moroccan authorities. Journalists were detained, their websites were arbitrarily shut down and foreign journalists were systematically hindered from entering the Rif region.

The journalist Hamid el Mahdaoui was sentenced to four years and three months in prison because of his reporting on the Rif movement. Lawyers of the detained accused the Morrocan authorities of torture of their clients. Due to the repression more and more people are fleeing the Kingdom of Morocco to Spain.

Society for Threatened Peoples calls on the Human Rights Council to urge the Moroccan Government:

- To stop the criminal investigations against members of the Rif region,
- Release the members of the Hirak movement from prison,
- To ensure freedom of assembly, opinion and press in the Rif region,
- To initiative discussions with the Hirak leadership on a peaceful solution of the conflict and on the implementation of their demands.

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*1814463*

Please recycle

# Mali: ongoing human rights violations in central Mali and the persecution of the Peuhl people

Our organization is appealing to the UN Human Rights Council to take action against the assaults of the Peulh people in Mali. The Peulh are a West African minority in Mali. They make around 10% of the Malian population. The state of Mali itself is a multiethnic state with different religions and backgrounds. Tensions between the different ethnicities escalated in 2012 after the uprising of the Tuareq minority in the north of the country. Islamist groups with the goal to overthrow the Malian government and to establish an Islamist caliphate in Mali exploited these tensions. In 2013, the French troops were asked by the Malian government to intervene. With their help, the Malian army was successful to push back the jihadist into the north of the country. Only a few Peulh have joined the Islamist forces back then. Nevertheless, until today the whole community faces harsh persecution from the Malian authorities. Reports indicate that dozens of them have disappeared and even were killed. It seems like the Peulh are suspected of being Islamist just because of their ethnicity. The following sums up some of the main assaults on the Peulh people by the Malian army forces.

**Fulani Persecution by the Malian army forces**

The problem started with the foundation of the "Front de liberation du Macina" in the centre of Mali in 2015. This terrorist group is mostly composed of Peulh people. The tragic thing about it is that even if only a small minority of the Peulh is associated with terrorism the whole group is judged. Moreover, it is not only other ethnicities that accuse them of affiliation with radical Islamist but also the Malian army as it seems.

21th February 2018: In the central rural community of Sokolo, the army arrested seven ethnic Peulh. The men were celebrating a baptism and not doing anything suspicious. Relatives later heard that the seven men were killed in custody. Apparently, there was not a fair trial or a juridical process. The Malian government proclaimed on 27 February 2018 that these men were actually killed during a fight in the region. This claim cannot be considered true knowing the situation mentioned above.

25th March 2018: In the small village of Dogo in the central region of Mopti, residents found six bodies including a father and a son. These men considered as Peulh were arrested a few days earlier by Malian security forces. Several villagers described the victims as well known merchants who had not been linked to radical forces or terrorist groups. Once again it seems like these men were arrested and killed because of their ethnic background.

May 2018: The United States are calling for a clear and transparent investigation in Mali. In the Mopti region a mass grave with more than 25 bodies of Peulh people has been found. Furthermore, Washington declared that it suggests that certain personnel of the Malian army might be involved in the killings. Canada also published a statement and described itself "deeply concerned" about the involvement of the Malian forces in the extra-judicial killings. Nevertheless Mali president Ibrahim Boubacar Keita insisted that the army forces are respecting human rights a claim that we cannot confirm.

June 2018: The Peulh association declared that in June Malian army forces entered the village Nantaka and separated 25 Peulh men from the other villagers. Later these men were killed by the troops. Moreover, villagers discovered another mass grave outside of their village. Once again, this indicates that the vast majority of civilians killed by the army are Peulh people. This takes us to the suggestion that the Malian soldiers target them due to their ethnicity.

Society for Threatened Peoples calls on the UN Human Rights Council to urge the Government of Mali:

- To ensure that no civilians are executed extra judicially by the Malian army in their fight against terrorism. The Malian government should guaranty the protection of the civilian population. All perpetrators of human rights violations against civilians should be brought to justice. Impunity for military personnel should end.
- To start a meaningful dialogue with credible representatives of the population in the Macina to ensure development and a better livelihood for Peulh people.
- To strengthen the infrastructure and state administration in the neglected regions of Central Mali.

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**Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General**

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Please recycle

# Massive human rights violations in Burundi

Despite widespread criticism, Burundi has voted in May 2018 for a constitutional change potentially allowing the president to remain in power until 2034. Meanwhile President Pierre Nkurunziza declared that he will support the future President of the Republic when his mandate ends in 2020. We are welcoming this decision, which brings hope that arbitrary arrests, torture, disappearances and summary executions finally will end. But Nkurunziza's declaration lacks a clear and firm commitment not to run for president in the upcoming elections.

In the first five months of 2018 those opposed to the proposed amendment of the constitution became victims of massive human rights violations. On May 11, 2018, unidentified armed attackers shot and hacked to death at least 26 men, women and children in Ruhagagarika village.

On February 24, 2018, Dismas Sinzinkayo, a member of the National liberation Forces (FNL), was beaten to death by members of the ruling party's youth league Imbonerakure in Kayanza Province. Local human rights organizations have registered more than 480 politically motivated murders by Imbonerakure in 2017 and the first quarter of 2018. There is a widespread fear among the civil society in Burundi to become victim of intimidation or deliberate killings by members of the youth league. Sometimes Imbonerakure members are acting jointly with regular security forces to intimidate or persecute political opponents or their family members. Since April 2015, members of the youth league have arrested, attacked or beaten hundreds of FNL members and incited ethnic hatred between the Hutu and Tutsi ethnic group. Due to the lack of an independent justice system, impunity prevails for these systematic human rights abuses.

Numerous people have been arrested because they called for a "No" vote in the referendum or they refused to join the ruling party. Many victims of these arbitrary arrests reported about torture and ill-treatment in detention. Some 400,000 people have fled the country due to this on-going political violence and repression by state security officials or Imbonerakure members.

We are deeply concerned about the fate of human rights defenders, who are persecuted and arbitrarily arrested. With deep concern we have followed the case of Germain Rukuki who was sentenced to 32 years of jail on a range of trumped-up charges in April 2018. The president of the Njabutsa Tujane community organization and employee of the Burundian Catholic Lawyers Association was arrested in July 2017 and accused of threatening state security and supporting armed rebels.

Society for Threatened Peoples calls on the U.N. Human Rights Council to urge the Government of Burundi:

- To stop intimidation and harassment of journalists, human rights activists and political opponents;
- To end impunity for crimes committed by Imbonerakure members;
- To stop inciting ethnic hatred between Hutu and Tutsi;
- To resume cooperation with United Nations mechanisms, especially with the Commission of Inquiry.

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Please recycle

# Accountability and justice for South Sudan

The U.N. Commission of Inquiry on South Sudan has published a detailed report in February 2018 urging that more than 40 senior military officers and officials in South Sudan should be prosecuted on charges of crimes against humanity and war crimes. Government forces and armed rebels have systematically butchered women, children and men, slitting throats, beheading civilians, gouging out eyes, castrating and mutilating men and raping men and women on a massive scale. Sexual violence has become endemic in the civil war, which started in December 2013.

Once a again the Commission has called on the African Union(AU) to immediately set up a Hybrid Court, including South Sudanese and international judges, to end impunity. The AU has been urged in the peace agreement signed in August 2015 to build up the Hybrid Court. The agreement was sponsored by the Governments of USA and United Kingdom and brokered by the Intergovernmental Authority on Development (IGAD). A central pillar of this peace deal was the establishment of two important institutions that should help South Sudan overcome the complex process of national reconciliation, healing and nation-building: The Commission on Truth, Reconciliation and Healing, and the Hybrid Court.

The USA and Britain insisted during the talks on the peace agreement that they would not recognize any reservations or addendums, but South Sudan's President Salva Kiir and his opponent Riek Machar objected to the establishment of the Hybrid Court, which they presented as a serious obstacle to peace. In an opinion article published in the New York Times on June 7, 2016, Kiir and Machar criticized the justice and accountability element of the 2015 peace agreement. They declared that the interest in peace outweighed the interest in justice.

The AU has failed to provide priority for this important project to ensure accountability in South Sudan. Instead of ending impunity, AU has accepted that the Government of South Sudan has delayed any concrete support to the attempt to bring those responsible for the violence to court. When French Ambassador Jean-Yves Roux deplored in a public statement in July 2018 the killing of hundreds of civilians in Unity State, where at least 232 civilians were killed and 132 girls and women abducted, he was summoned to the Foreign Ministry, which lodged a formal complaint over his statement.

Despite international pressure to immediately end impunity to break the cycle of horrendous violence in South Sudan, the Government of South Sudan continues to delay the complex process of building up the Hybrid Court. Only days after signing a power-sharing agreement to end the brutal civil war, President Salva Kiir has announced a general amnesty to his former and future vice-President Riek Machar and to all other armed groups, which waged war against the Government of South Sudan. Our human rights organization is deeply concerned about this amnesty. More than 50,000 Southern Sudanese became victims of the civil war since 2013 und 2 million people had to flee. It's shameful that their political leaders who were responsible for the death of so many civilians, will not be brought to justice, but will continue in their tragic leadership roles as President and Vice-President of south Sudan as if nothing had happened.

Society for Threatened Peoples calls on the U.N. Human rights Council to urge the Government of South Sudan:

- To build up a Hybrid Court and to end impunity;
- To ensure the protection of the civilian population from violence and war;
- To free all political prisoners and to guarantee basic human rights.

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*1814466*

Please recycle

# Condemn hate speech and antiziganism in Italy

In June 2018, the Italian Minister of the Interior Matteo Salvani announced plans that Sinti and Roma living in Italy should have to register. Although such plans regarding an obligatory registration for Sinti and Roma are unconstitutional and discriminatory, the Parliament of Lombardy in northern Italy has already approved of an initiative to register the Sinti and Roma living in the region, and the Regional Committee is supposed to monitor the legal Roma settlements.

Society for Threatened Peoples (STP), is shocked by these racist measures, the exclusion and discrimination, which are clearly based on an anti-Roma sentiment. The situation of the Roma in Italy is cause for concern. According to recent estimates, there are currently about 150,000 Sinti and Roma living in the country, most of whom have a permanent residence and a job. Approximately 43% have Italian citizenship, while the rest are usually stateless persons. Currently, there are about 26,000 Roma living in informal slums under inhumane living conditions – a result of decades of government policies that violate European values, equality laws, and the peoples' fundamental rights.

With 17 informal slums, the city of Rome has the largest number of informal settlements in the country. Italy is planning to clear and demolish many of the Sinti and Roma settlements, and this has already been implemented in the north of Rome. Thus, 400 residents of the settlement "Camping River" were forced to leave their homes. The eviction was justified by stating that the illegal settlement on the outskirts of the city was a health risks for the residents. Many of the residents spent the next few nights on the streets, as the police kept them from returning to their settlement. Italy has ratified all major international conventions on the protection and rights of minorities, but – as in this case – this is not adequately implemented for all population groups. Several provisions of the European Convention on Human Rights are being violated, including Article 1 (Commitment to Respect for Human Rights), Article 2 (Right to Life), Article 8 (Right to Respect for Private and Family Life), Article 14 (Non-Discrimination) and the provisions of the UN Convention on the Rights of the Child.

The Italian Government, currently chairing the OSCE and the International Holocaust Remembrance Alliance (IHRA), is committed to upholding the rule of law and democratic values. We are aware that Italy's domestic political situation is anything but easy at the moment, especially considering the refugee crisis and the lack of solidarity from other EU countries. Nevertheless, the racist initiatives envisaged by Salvini and his right-wing populist Lega have caused an outrage – not only in Italy, but also among the Roma in other European countries.

We would therefore like to ask the UN Human Rights Council to appeal to the Italian Government to refrain from implementing a mandatory registration for Sinti and Roma in Italy, and to put an end to these racist measures, to exclusion and discrimination.

Society for Threatened Peoples calls on the Human Rights Council to urge the government of Italy to:

- ensure equal treatment of the Sinti and Roma, and to strengthen the recognition and protection of Sinti and Roma under the Framework Convention for the Protection of National Minorities. At the same time, Italy must fulfill its international obligations with regard to human rights, the protection of minorities, and equal treatment

- all forms of antiziganism and human rights violations against Sinti and Roma Gypsies must be sanctioned.

- ensure that identity documents are issued to them, thereby ensuring access to various areas of public life such as housing, education, health, and the job market.

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**Technical assistance and capacity-building**

# Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 August 2018]

* Issued as received, in the language(s) of submission only.

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# A lasting and genuine ceasefire for the Republic of Yemen is urgent

On 9 August 2018, a Saudi-led coalition airstrike hit a school bus in the northern province of Saada in the Republic of Yemen. 51 people died during the attack. 40 of them were children between the age of 6 to 11. All in all, 59 of the 79 wounded were children.1 The bomb that hit the school bus had been bought by the Kingdom of Saudi Arabia as part of a U.S. –Saudi arms deal, according to CNN. This incident is the the most recent catastrophy in a proxy war which has been raging for more than four years in the Republic of Yemen. The main victim of the conflict is the civilian population of the Republic of Yemen. Henrietta Fore, head of the UN children's aid organization Unicef, has stated that at least 2,200 children have already been killed in the conflict. In an interview with a German newspaper, Germany's Development Aid Minister Gerd Müller also talked about the fact that more than ten million war refugees are fighting for their very survival in the Republic of Yemen.2 The situation of the people in the Republic of Yemen constitutes the world's biggest humanitarian catastrophe.

### Attacks on Hudaida and the results of the blockade

The situation of the civilian population, especially in northern Yemen, has become even more dramatic since the "Arab coalition", led by the Kingdom of Saudi Arabia and the United Arab Emirates (UAE), began to attack the port city of Hudaida 230 kilometers southwest of the capital Sanaa. 80 percent of the relief supplies reach the civil war country via Hudaida. It is also a key point for most commercial goods. The attacks on the port city of Hudaida by the Saudi-led coalition were justified with the claim that the Shiite Huthi rebels are supported by the Islamic Republic of Iran via this harbor. The Huthis from North Yemen took over the port city in 2013, invaded the capital a year later and expelled President Abed Rabbo Mansur Hadi and his government from office. Since 2015, the "Arab Coalition" military operation has been fighting against the rebels and for the reinstatement of the old government. The war in the Republic of Yemen is also an expression of the great conflict between the Shiite and Sunni powers in the region.

The UNHCR is currently talking about two million people who are internally displaced persons. However, more than 22 million people, about three-quarters of the overall population of the country, are depending on support. This applies to all basic needs - from nutrition and accommodation to medical care and education. The severe damage of the water and sewage system increases the risk of a cholera epidemic. At least 2,200 children have already died in the conflict3. In addition, Yemen has been hosting around 280,000 refugees from the Horn of Africa - mainly from Eritrea, Somalia and Ethiopia. The UNHCR with its staff of 200 people working in Yemen is taking care almost exclusively of the refugees. Due to a lack of money, UNHCR cannot adequately support the population. As early as March 2017, our human rights organization has made serious accusations against the governments in the Kingdom of Saudi Arabia and the United Arab Emirates. The war in the Republic of Yemen leads to serious human rights violations and war crimes. Since March 2015, at least 12,000 people have been killed and tens of thousands are injured. More than 2,000 schools have been destroyed or severely damaged. With 22 million of the 26 million Yemenis, almost 85 percent of the population depends on humanitarian aid. About 7.6 million, including three million children and women, suffer from malnutrition. 173,000 people have already left the Republic of Yemen.

In June 2018, Society for Threatened Peoples (STP) appealed to the UN Security Council to condemn the attack on the port city of Hudeida as a crime against humanity and to demand an immediate suspension of the fighting. The UN Security Council should have fulfilled its responsibility to protect the civilian population and should have stopped the attacks on Hodeida. Now an even greater humanitarian catastrophe is threatening the Republic of Yemen. In addition, the current escalation of the war in the Republic of Yemen is endangering the 600,000 inhabitants of Hudeida. All statements by the attacking military that they wanted to avoid ground fighting were and are not realistic. The disastrous effects of the escalation of violence can already be seen today, when relief organizations and humanitarian workers of the United Nations had to flee the city.

### Strengthen peaceful mediation efforts

It is irresponsible that the UN's peace efforts, after weeks of negotiations about a withdrawal of the Huthi rebels from Hudeida, have now been undermined. The coalition of the Kingdom of Saudi Arabia and the United Arab Emirates,

1 https://edition.cnn.com/2018/08/13/middleeast/yemen-children-school-bus-strike-intl/index.html

2 https://www.welt.de/politik/deutschland/article178774808/Migration-Entwicklungsminister-Gerd-Mueller-warnt-Europa-vor-neuen-Krisen.html

3 https://www.unicef.org/press-releases/peace-only-way-forward

armed and militarily supported by the United States, is playing with the lives of millions of people and ignoring the principle of responsibility to protect, to which the international community of states committed itself at the Millennium Summit in 2005. We repeatedly called on the international organizations to work for an actual end of the blockade of the Republic of Yemen by the Kingdom of Saudi Arabia. The end of the blockade and the attacks on Hodeida is necessary to prevent a disaster. Our human rights organization is in constant contact with individuals in the Republic of Yemen. They told us that the short-term easing of the blockade of Hodeida has done very little to the civilian population, especially in northern Yemen. The people in the Republic of Yemen are urgently asking to lift finally the inhuman blockade indefinitely.

The coalition led by the Kingdom of Saudi Arabia has only eased the blockade of Yemen for 30 days. This loosening up hardly helped because the airports, seaports and border crossings were closed repeatedly. This made food and fuel even scarcer and more expensive. An ongoing blockade would therefore constitute the use of hunger as a weapon of war and a crime against humanity.

**Prevent a major humanitarian disaster and help all civilians effectively**

According to the UN Verification and Inspection Mechanism for Yemen (UNVIM), only 1.69 million tons of fuel were imported into the country via the ports of Hodeida and Ras Isa on the Red Sea in 2017. This is only one third of the quantity required. Added to this are the continuing "bureaucratic" practices of the Saudis and the Huthi rebels supported by the Islamic Republic of Iran, which literally prevent the rapid import of essential goods. The consequences are extreme food shortages, price increases and the situation is particularly bad for the minority group Al-Akhdam, which even before the war has always been excluded from society. They have been discriminated against for centuries because of their darker skin color and often suffer under slavery like conditions, although slavery officially was abolished in the Republic of Yemen in the 1960s. The Al-Akhdam live predominantly in urban slums of the contested Yemeni cities such as Taizz or in the capital Sanaa, which have been repeatedly attacked by the Saudi air force. As a result of the war, the Al-Akhdam have fallen into an unimaginable misery, and are almost completely ignored in the distribution of the few relief supplies that reach Yemen. With 500,000 to three million members, this ethnic group represents two to ten percent of the 26 million inhabitants of the country.

Society for Threatened Peoples calls on the Human Rights Council to demand that:

- The international community of states should work with all warring parties and their protective powers to ensure that aid organizations have free access to the population in need.
- The civil war in the Republic of Yemen has expanded into a proxy war between the Kingdom of Saudi Arabia and the Islamic Republic of Iran. Therefore, there should be an international initiative by the international community, the United Nations or the European Union to open talks with the Kingdom of Saudi Arabia, the Islamic Republic of Iran, the United States of America and the Russian Federation to end the war.
- To Influence the government in the Islamic Republic of Iran and the Kingdom of Saudi Arabia to comply with international agreements. All warring parties must observe the law of war martial law and the agreed cease-fire periods.
- International relief organizations that can operate in Yemen must urgently try to ensure that minorities such as the Al-Akhdam also receive humanitarian aid.